

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMEL K. MANNING,

Plaintiff,

-v-

No. 20 CV 9704-LTS-BCM

MIGUEL A. FUENTES, JR. and
BRONXCARE HEALTH SYSTEM,

Defendants.

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ORDER

The Court has received and reviewed pro se Plaintiff's letter-motion dated August 19, 2021 (docket entry no. 29), seeking a retroactive extension of his deadline, from April 15, 2021, to September 17, 2021, to oppose the pending motion to dismiss filed by Defendant Miguel A. Fuentes, Jr. pursuant to Federal Rule of Civil Procedure 12(b)(6) (docket entry no. 16, the "Rule 12(b)(6) Motion"); Defendants' opposition to that letter-motion (docket entry no. 30); and Defendants' motion to dismiss filed on August 20, 2021, pursuant to Federal Rule of Civil Procedure 41(b) (docket entry no. 31, the "Rule 41(b) Motion").

In light of Plaintiff's pro se status and his report that he is "now receiving assistance from the [New York Legal Assistance Group] Pro Se Clinic," the Court orders as follows:

1. Plaintiff's letter-motion seeking an extension of his deadline to file an opposition to the Rule 12(b)(6) Motion is granted. Plaintiff shall file his opposition to that motion by **September 17, 2021**.

2. The Court sua sponte extends Plaintiff's deadline to file an opposition to Defendants' Rule 41(b) Motion. Plaintiff shall file his opposition to that motion by **September 17, 2021**.
3. Defendants shall file any replies, if any, in support of their motions to dismiss by **October 1, 2021**.

This Order does not stay or otherwise affect any deadlines imposed by Magistrate Judge Moses. Plaintiff's obligations to comply with the deadlines imposed by Judge Moses's Order dated July 15, 2021 (docket entry no. 27), remain in full effect, as do Plaintiff's obligations to prosecute this case promptly and diligently. Future failures by Plaintiff to comply with court orders, and to timely prosecute this case, may result in dismissal of this case pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: New York, New York
August 24, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge